

**City of Miami Beach - City Commission Meeting**  
**Commission Chambers, 3rd Floor, City Hall**  
**1700 Convention Center Drive**  
**June 6, 2001**

**[Return to After Action Menu - CLICK HERE](#)**

Mayor Neisen O. Kasdin  
Vice-Mayor Luis R. Garcia, Jr.  
Commissioner Matti Herrera Bower  
Commissioner Simon Cruz  
Commissioner David Dermer  
Commissioner Nancy Liebman  
Commissioner Jose Smith

City Manager Jorge M. Gonzalez  
City Attorney Murray H. Dubbin  
City Clerk Robert E. Parcher

## **AFTERACTION**

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### **ATTENTION ALL LOBBYISTS**

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

### **CONSENT AGENDA**

PA1 Cert. of Apprec./Finance Dept., Receiving Award of Excellence from the GFOA. 1  
PA2 Proclamation/Dr. Karenbauer & M. Cuesta, ?Spirit of Excellence Award?.  
PA3 Proclamation/Beach Patrol, Excellent Work During Spring Break Weekend. (Dermer)  
PA4 Proclamation/Nat'l Safety Month, Safety Awareness at Work/Home & Community.(Kasdin)  
PA5 Cert. of Apprec./Several Representatives/Senator, Convention Development Tax. (Kasdin)  
PA6 Cert. of Apprec./ (8) School Students, FCAT 2001 Writing Achievement Awards. (Bower)  
PA7 Cert. of Apprec./ (3) Miami Beach Sr. High Students, ?Silver Knight Awards?. (Bower)  
PA8 Cert. of Apprec./L. Mazal, Elementary School Teacher of the Year in Mathematics. (Bower)  
PA9 Cert. of Apprec./Miami Beach Chamber of Commerce, Educational Awareness. (Bower)

C4A Ref: Fin. & CW Proj. Comm., Proposed Merger of Charter Communic. & ATT. (Cruz) 3  
C4B Ref: Community Affairs Comm., Volume Services America Scholarship Funds. (Smith) 5  
C4C Ref: Land Use Comm., Amend Code to Allow Advertising on Pay Telephones. (Garcia) 7  
C4D Ref: Neighborhoods Comm., Creation of Blue-Ribbon Comm.-Review Parks Program. A

C6A Report: Community Affairs Committee Meeting of March 19, 2001. 11  
C6B Report: Community Affairs Committee Meeting of April 9, 2001. 13  
C6C Report: Finance & Citywide Projects Committee Meeting of March 20, 2001. 15  
C6D Report: Joint Land Use & Devlp't/Finance CWP Committee Meeting of April 9, 2001. 19  
C6E Report: G.O. Bond Oversight Committee Meeting of April 2, 2001. 21  
C6F Report: G.O. Bond Oversight Committee Meeting of May 14, 2001. 25

C7A Approve Placement of (80) Banners, Festival Season 2001, June 6 - Sept. 28, 2001. 29  
 C7B Set Public Hrg, Consider Lease Agmt w/ Boys & Girls Club, 1245 Michigan Ave. 37  
 C7C Appoint Judge Newman to Serve as Chief Special Master, June 28-December 28, 2001. 41  
 C7D Re-Appoint Warren Bittner, Special Master for City's Historic Preservation Board. 47  
 C7E Approve Cost Amount for State FY 2001/02, 2002/03, & 2003/04, (SHIP) Program. 51  
 C7F Execute (HOME) Program Agmt w/MBCDC, Rehab. of Apt. Bldg/Rentals for Elderly. 55  
 C7G Set Public Hrg., Consider Lease Agmt w/Concert Assoc., Mgmt of Colony Theatre. 85  
 C7H Accept Donation of (2) Stairmaster & (2) Exercycles from Mt. Sinai for Fire Dept. 89  
 C7I Execute Memo of Understanding, Use of Miami City Ballet Bldg. During a Hurricane. 91  
 C7J Execute Memo of Agmt, Participation of Fire Dept. in (US&R) Task Force, FL TF 2. 95  
 C7K Reject All Bids Pursuant to BA 19-00/01, Purchase of (2) Lifeguard Towers. 161  
 C7L Approp. G.O. Bond Funds, Pinetree Park Renovation Project. 165  
 C7M Execute Mutual Aid Agmt, Operations & Mutual Aid Benefit w/City of Florida City. 173  
 C7N Approp. G.O. Bond Funds, A/E Serv. for Lighting/Fountains/Trees in Lincoln Road. 183  
 C7O Execute Interlocal Agmt, Install Landscaping in Medians Along Pinetree/La Gorce Dr. 191  
 C7P Execute (46) Agmts, A/P & Urban Design Serv. for Capital Projects/Study Activities. 199  
 C7Q Execute Serv. Agmt, A/E & Interior Design Serv., Lobby of TOPA/Carpet at Conv. Ctr. 293  
 C7R **Joint**, Approp. RDA Tax Funds, Streetscape Ph. I Proj. at Collins Park Cultural Center. 337  
 C7S Approve Addtl Services, Expansion/Renovation of the Bass Museum of Art. 343  
 C7T Approp. G.O. Bond Funds, Addtl Services for Renov./Rehabilitation of Fire Station 4. 347  
 C7U **W-Award Contract**, BA 30-00/01, N. Shore Open Space Park Phase I Improvements 351

### **REGULAR AGENDA**

R5A **10:40 a.m. 1st Rdg, Public Hrg.**, Amend Code, ?Off-Street Parking?. **5/7** 353  
 R5B **10:45 a.m. 2nd Rdg**, Fence Heights for City Parks. **5/7** 361  
 R5C **10:50 a.m. 2nd Rdg**, Amend Code, ?Schedule of Water Rates & Tapping Charges?. 373  
 R5D **10:55 a.m. 2nd Rdg**, Amend Code, Contribute to APP from Joint Public/Private Proj. 379  
 R5E **5:01 p.m. 2nd Rdg**, Designate Pinetree Drive Historic Roadway. **5/7** 385  
 R5F **10:30 a.m. 1st Rdg, Public Hrg.**, Amend Official Zoning District Map. **5/7** 447  
  
 R6A Report: Joint Finance & CWP/Community Affairs Committee. Mtg of May 14, 2001. 465  
 R6B Verbal Report: Finance & Citywide Projects Committee Meeting of May 30, 2001. 469  
 R6C Verbal Report: Neighborhoods Committee Meeting of June 4, 2001. 471  
 R6D Verbal Report: G.O. Bond Oversight Committee Meeting of June 4, 2001. 473  
  
 R7A **4:30 p.m.**, Issue RFP, Provide Tennis Mgmt/Oper. Services at Flamingo/N. Shore Park. 475  
  
 R9A Board and Committee Appointments. 501  
 R9A1 Disc. Appointing J. Clearwater to Art in Public Places Committee. (Liebman) 549  
 R9B1 **1:30 p.m.**, Dr. Stanley Sutnick Citizen's Forum. 553  
 R9B2 **5:30 p.m.**, Dr. Stanley Sutnick Citizen's Forum. 553  
 R9C **Noon Break**, Committee of the Whole Mtg re: FY 2001/02 General Fund Budget. 555  
 R9D **11:30 a.m.**, Disc. Creation of Sunset Harbour Task Force. (Liebman) 557  
 R9E **2:00 p.m.**, Disc. Lincoln Rd Conditions/Vendors & Street Performers. (Liebman/Cruz) 561  
 R9F Disc. Rules & Regulations of Beachfront Concessions. (Smith) 565

R9G Disc. Prohibiting Anyone Involved in Election Campaign-Soliciting Contracts. (Bower) 569  
R9H **11:00 a.m.**, Disc. Report on Long-Standing Problems of Sunset Isl. I&II. (Garcia/Bower) 571  
R9I Disc. Update from Police Dept. on Issues of Prostitution. (Bower) 583  
R9J Disc. Cultural Arts Economic Impact Study. (Liebman) 585  
R9K **W**-Disc. Court Action Involving Save Miami Beach Charter Amendment. (Dermer) 587  
R9L Disc. Pump Station Project at 28th Street. (Garcia) 589  
R9M Disc. Resolution Supporting "The Beach Reads" Program. (Bower) 591  
R9N Disc. Removal/Relocation of Full Canopy Trees Throughout the City. (Bower) 595  
R9O Disc. Ordinance re: Creation of a "Nightlife Industry Advisory Council". (Dermer) 601  
R9O1 Disc. Disc. Establishment of a Nightlife Advisory Board. (Liebman) 605  
R9P Disc. Creation of a Public Safety Committee. (Garcia) 607  
R9Q Disc. Extension to the Permit for Use of Vacant Lot on 15th & Ocean Drive. (Garcia) 609  
R9R Disc. Resolution re: Miami-Dade's Flight Pattern Test. (Liebman) **A**

### **REPORTS AND INFORMATIONAL ITEMS**

A City Attorney's Status Report. 611  
B Parking Status Report. 615  
C Status Report on Fire Station No. 2. 633  
D Verbal Status Report on Fire Station No. 4. 635  
E Report on the 2001 Florida Legislative Session by City's Lobbyists. 637  
F **4:00 p.m.**, Report on Homeless Comm. Recomm., Mobile Dental/Health Services. 655  
G **W**-Verbal Update on Collaborative Summer Tourism Marketing Initiatives. 657

### **REDEVELOPMENT AGENCY ITEMS - 10:00 A.M.**

2A Report of Itemized Revenues/Expenditures of RDA for April 30, 2001. 1  
2B Monthly Report on Parking Operations, Anchor Shops & Parking for April 2001. 3  
2C Status Report on Georgian/Loews/Anchor Shops/Parking & RDP Royal Palm. 5  
3A Appropriate S. Point Tax Increment Funds, SSDI-North. 33  
3B Appropriate 1998 Tax Increment Revenue Bonds, Reimburse RDP Royal Palm. 49  
3C Appropriate RDA Tax Increment Revenue Bonds, American Riviera Real Estate Co. 53  
3D **Joint**, Approp. RDA Tax Funds, Streetscape Ph. I Proj. at Collins Park Cultural Center. 55

Call to Order - 9:25 a.m.

Inspirational Message by Reverend Hugh O'Neill

Pledge of Allegiance led by Chief Richard Barreto

**PA - Presentations and Awards**

- PA1 Certificate of Appreciation to be Presented to the Finance Department for Receiving the Award of Excellence from the Government Finance Officers Association (GFOA).  
(Finance Department)

**ACTION:** Certificate of Appreciation and GFOA Award of Excellence plaque presented. Patricia Walker, Finance Director, recognized Georgina Echert, Denise Bynum, Ramon Duenas and Jorge Montes for their dedication.

- PA2 Proclamation to be Presented to Dr. Beverly Karenbauer and Mariano Cuesta for Receiving the ?Spirit of Excellence Award.?  
(City Manager?s Office)

**ACTION:** Proclamations presented.

- PA3 Proclamation to be Presented to Beach Patrol in Recognition of all the Excellent Work Performed During the Weekend of Spring Break, on April 7, 8 and 9, 2001.  
(Requested by Commission David Dermer)

**ACTION:** Proclamation presented.

- PA4 Proclamation to be Presented for National Safety Month, to Draw Attention to the Serious Problem of Safety Awareness in the Work Place, Home and Community.  
(Requested by Mayor Neisen Kasdin)

**ACTION:** Proclamation presented.

- PA5 Certificates of Appreciation to be Presented to Representative Dan Gelber, Senator Ron Silver, Representative Gus Barreiro and Commissioner Bruno Barreiro, for their Assistance in Securing an Amendment to the 1996 Interlocal Agreement Between the City of Miami Beach and Miami-Dade County with Regard to the Convention Development Tax.  
(Requested by Mayor Neisen Kasdin)

**ACTION:** Certificates of Appreciation presented. Elaine Bloom, who was in the audience, was recognized for her contributions to Miami Beach as State Representative. State Senator Ron Silver, State Representative Dan Gelber, and Miami-Dade County Commissioner Bruno Barreiro spoke.

Commissioner Smith stated that the State Statutes are very confusing regarding Convention Development Tax and hopes the State Legislature will clarify the language.

PA6 Certificates of Appreciation to be Presented to Miami Beach Senior High School, Nautilus Middle School, Treasure Island Elementary, Fienberg-Fisher Elementary, Biscayne Elementary, Bay Harbor Elementary, North Beach Elementary, and South Pointe Elementary School Students, for Receiving the FCAT 2001 Writing Achievement Awards.

(Requested by Commissioner Matti Herrera Bower)

**ACTION:** Certificates of Appreciation presented.

PA7 Certificates of Appreciation to be Presented to Three (3) Miami Beach Senior High School Students, for Receiving the ?Silver Knight Awards.?

(Requested by Commissioner Matti Herrera Bower)

**ACTION:** Certificates of Appreciation presented.

PA8 Certificate of Appreciation to be Presented to Lucianna Mazal, Elementary School Teacher of the Year in Mathematics.

(Requested by Commissioner Matti Herrera Bower)

**ACTION:** Certificate of Appreciation presented.

PA9 Certificate of Appreciation to be Presented to Miami Beach Chamber of Commerce for Educational Awareness.

(Requested by Commissioner Matti Herrera Bower)

**ACTION:** Certificate of Appreciation presented.

**ADDENDUM ITEMS:**

Motion made by Commissioner Bower to add C4D and R9R as emergency items; seconded by Commissioner Leibman; Voice vote: 7-0.

## **CONSENT AGENDA**

**ACTION:** Motion made by Commissioner Bower to approve the Consent Agenda; seconded by Commissioner Liebman; Voice vote: 7-0.

### **C4 - Commission Committee Assignments**

C4A Referral to the Finance and Citywide Projects Committee - Discussion of the Proposed Merger of Charter Communications and ATT for the City's Cable Franchise to Determine the Impact on Service and Cost to our Residents.

(Requested by Commissioner Simon Cruz)

**ACTION: Referred.** Patricia Walker to place on committee agenda. Tim Hemstreet and Larry Levy to handle.

C4B Referral to the Community Affairs Committee - Discussion Regarding Volume Services America Scholarship Funds.

(Requested by Commissioner Jose Smith)

**ACTION: Referred.** Judy Hoanshelt to place on agenda. Mayra Diaz Buttacavoli, Christina Cuervo and Maria Ruiz to handle.

### **10:38 a.m.**

C4C Referral to the Land Use Committee to Amend Code Section 82-342(e) (7) to Allow Advertising on Pay Telephones.

(Requested by Vice-Mayor Luis R. Garcia, Jr.)

**ACTION: Referred as amended.** Commissioner Liebman requested this item be referred to a joint meeting of the Land Use Committee and the Finance and Citywide Projects Committee. Jorge Gomez and Patricia Walker to coordinate the joint meeting. Jorge Gomez to handle.

### **ADDENDUM:**

C4D Commission Memorandum No. 380-01

Referral to the Neighborhoods Committee - A Discussion Regarding the Creation of a Blue-Ribbon Committee to Review and Evaluate the City's Parks Programs.

**ACTION: Referred.** Robert Middaugh to place on committee agenda. Kevin Smith to handle.

### C6 - Commission Committee Reports

#### C6A Commission Memorandum No. 354-01

Report of the Community Affairs Committee Meeting of March 19, 2001: **1)** Discussion Regarding the Adoption of Special Events Policies and Procedures; **2)** Request to Honor Michael Graves for His Outstanding Achievements in the Preservation and Enhancement of the Miami Beach Historical District.  
**ACTION:** Report accepted.

**Item # 1:** Action completed. See ordinance No. 2001-3302.

**Item # 2:** Committee and City Commission approved the placement of a plaque on Miami Beach in honor of Mr. Graves. **Referred to the Art in Public Places Committee. James Quinlan to handle.**

#### C6B Commission Memorandum No. 355-01

Report of the Community Affairs Committee Meeting of April 9, 2001: **1)** Discussion Regarding the Appropriate Utilization of Government Cable Channel 20; **2)** Discussion Regarding Honoring the Late Mr. Jerome Greene.

**ACTION:** Report accepted.

**Item #1:** Approved the following:

- A. MBTV shall only broadcast programs produced by the City.
- B. The Mayor and City Manager's State of the City Address should continue to be broadcast on MBTV.
- C. Committee will continue the review and discussion regarding political forum programming at a future meeting.

**Item #2:** Committee and City Commission approved the placement of a plaque on Miami Beach in honor of Mr. Greene. **Referred to the Art in Public Places Committee. James Quinlan to handle.**

**C6C Commission Memorandum No. 356-01**

Report of the Finance and Citywide Projects Committee Meeting of March 20, 2001: **1)** Bass Museum Status; **2)** Citizen/Staff Task Force on Group Insurance; **3)** Sources for the Cultural Arts Council (CAC); **4)** Discussion on the Establishment of an Ordinance to Form an Enterprise Zone.

**ACTION:** Report accepted.

**Item #1:** Committee requested a report of the reconciled financial issues be presented at the next meeting. **Patricia Walker to handle.**

**Item #2:** Committee recommended approval of the creation of a task force. City Manager will offer recommendation for prospective members. **Cliff Leonard to handle.**

**Item #3:** The City Manager recommended that funding from resort tax be considered during the Fiscal Year 2001/2002 budget cycle. See detail action in agenda.

**Item #4:** Committee expressed their reluctance to give up tax revenue under this type of program.

**C6D Commission Memorandum No. 357-01**

Report of the Joint Land Use and Development and Finance and Citywide Capital Projects Committee Meeting of April 9, 2001: **1)** Review of a Proposed Ordinance with Regard to the Use of the Public Rights-of-Way by Communications Services Providers.

**ACTION:** Report accepted.

**Item #1:** See May 16, 2001, Commission Agenda item R5C. Second reading of the ordinance.



## C6E Commission Memorandum No. 358-01

Report of the G.O. Bond Oversight Committee Meeting of April 2, 2001: **1)** Progress Status Report; **2)** Report from Hazen and Sawyer; **3)** Recommendation to Appropriate Funds for Washington Avenue Improvements; **4)** Review of Scopes of Work/Sample Contract and Recommendation to Appropriate Funding for Architectural and Engineering Firms for Group I and II Streetscapes (Oceanfront, Islands, Bayshore, Normandy Shores, Nautilus, Normandy Isle and West Avenue/Bay Road); **5)** Recommendation to Appropriate Funds for La Gorce Island Improvements; **6)** Recommendation to Appropriate \$175,000 from Street End Project for Replacement of Restroom at 29th Street; **7)** Indian Creek Greenway Presentation; **8)** Amendment to the Cone of Silence Ordinance.

**ACTION:** Report accepted.

**Item #1:** Recommended spending \$40,000 for the purchase of two hand held thermal imaging cameras for the Fire Department.

**Item #2:** No action required.

**Item #3:** Accepted the Administration's recommendation to allocate up to \$444,000 of G.O. Bond funds from the Flamingo/Lummas neighborhood for the Washington Avenue streetscape project.

**Item #4:** Recommended appropriation for architectural and engineering services for Group I and Group II streetscapes, not to exceed the following amounts: \$255,981 for Oceanfront, \$36,049 for Islands, \$291,309 for Bayshore, \$204,220 for Normandy Shores, \$291,610 for Nautilus, \$303,668 for Normandy Isle and \$132,932 for West Avenue/Bay Road.

**Item #5:** Recommend appropriation of \$200,000 from G.O. Bond Fund 373, for landscape and lighting improvements on La Gorce Island, as identified as La Gorce Island Enhancement in the General Obligation Bond neighborhood Program list.

**Item #6:** Recommend appropriation of \$175,000 from the G.O. Bond Series 2000 funds for the replacement of beachfront restroom facility at 29 Street.

**Item #7:** No action required.

**Item #8:** No action required.

## C6F Commission Memorandum No. 359-01

Report of the G.O. Bond Oversight Committee Meeting of May 14, 2001: **1)** Projects Status Report; **2)** Report from Hazen and Sawyer; **3)** Matching Funds for Streetscape Projects; **4)** Recommendation to Appropriate Funding for Design Services Coastal Systems International for the North Beach Recreational Corridor; **5)** Recommendation to Approve Funding for 3rd Lane for Sunset Island; **6)** Capital Improvement Projects Report.

**ACTION:** Report accepted.

**C7 - Resolutions****C7A Commission Memorandum No. 360-01**

A Resolution Approving and Authorizing the Placement of Eighty (80) Banners for Festival Season 2001, to Be Held May 21, 2001, to September 21, 2001, as Requested by the Applicant at the Following Locations: MacArthur Causeway, Between the Coast Guard Station and Alton Road; 5th Street, Between Alton Road and Ocean Drive; Collins Avenue, Between 43rd and 62nd Street; Collins Avenue, Between 71st and 87th Street; Harding Avenue, Between 73rd and 87th Street; Abbott Avenue, Between 69th and 73rd Street; Arthur Godfrey 941 Street, Between Alton Road and Pine Tree Drive; Convention Center Drive, Between 17th Street and Dade Boulevard; Washington Avenue, Between Lincoln Road and Dade Boulevard; Dade Boulevard, Between Washington Avenue and Alton Road; Said Banners to Be Affixed to Light Poles in the Public Right-of-Way, Measuring 3 Feet X 7 Feet and Having Copy and Design as Shown on the Attached Drawings; to Be Installed and Removed in Accordance with All Other Applicable City Requirements; the Administration Further Recommends That These Banners Be Installed No Earlier than June 6, 2001, and Removed by September 28, 2001.

(Arts, Culture & Entertainment)

**ACTION: Resolution No. 2001-24448 adopted.** James Quinlan to handle.

**C7B Commission Memorandum No. 361-01**

A Resolution Setting a Public Hearing on June 27, 2001, to Consider a Lease Agreement with the Boys and Girls Club of Miami, Inc., for the Lease of the One Story City-Owned Building in Flamingo Park, Located at 1245 Michigan Avenue, Miami Beach, Florida, Including the Proposed Waiver of the Competitive Bidding and Appraisal Requirements, as Set Forth in Section 82-39 of the Miami Beach City Code, Said Lease Agreement Having a Term of Four Years and 364 Days, Commencing on July 1, 2001, and Ending on June 29, 2006.

(Asset Management)

**ACTION: Resolution No. 2001-24449 adopted.** R. Parcher to notice. Judy Hoanshelt to place on agenda.

## C7C Commission Memorandum No. 362-01

1. A Resolution Accepting the Recommendation of the Miami Beach City Manager Concerning Appointment of Judge Robert Newman to Serve as Chief Special Master, Commencing June 28, 2001, and Ending December 28, 2001, or Until a Successor has Been Appointed, Who Shall be Authorized to Hold Hearings and Impose Fines, Liens and Other Non-Criminal Penalties Against Violators of City Codes and Ordinances, and Shall Also be Authorized to Appoint Such Other Special Masters as May Reasonably be Required to Conduct the Subject Hearings; Incorporating All Other Matters Set Forth Within City of Miami Beach Resolution No. 98-22777 Concerning the Compensation and Duties of the Chief Special Master.

(City Clerk's Office)

**ACTION: Resolution No. 2001-24450 adopted.** Robert Parcher to handle.

2. A Resolution Accepting the Recommendation of the City Manager Concerning the Appointment of Judge Robert Newman to Serve as Chief Special Master Commencing June 28, 2001, and Ending December 28, 2001, or Until a Successor Has Been Appointed, Who Shall be Authorized to Hold Administrative Hearings Regarding Appeals from Citations for Violations of Miami Beach City Code Chapters and Regarding Denials, Suspensions, and Revocations of Occupational Licenses and Certificates of Use, and to Appoint Such Other Special Masters as May Reasonably be Required to Conduct Such Hearings Pursuant to City Ordinances.

(City Clerk's Office)

**ACTION: Resolution No. 2001-24451 adopted.** Robert Parcher to handle.

## C7D Commission Memorandum No. 363-01

A Resolution Re-Appointing Mr. Warren Bittner, Esq. to Serve as a Special Master for Appeals of Decisions of the City's Historic Preservation Board Until July 1, 2004 and Setting the Compensation at \$100 per Hour with a Maximum Payment of \$500 per Case, Retroactive to January 1, 2001.

(City Clerk's Office)

**ACTION: Resolution No. 2001-24452 adopted.** Robert Parcher to handle.

## C7E Commission Memorandum No. 364-01

A Resolution Approving the City of Miami Beach Administrative Cost Amount for State Fiscal Years 2001/2002, 2002/2003, and 2003/2004 for the Florida State Housing Initiatives Partnership (SHIP) Program at Ten Percent of the Allocation; and Approving the Use of Five Percent of Program Income Generated by the Ship Program for Administrative Cost.

(Community/Economic Development)

**ACTION: Resolution No. 2001-24447 adopted.** Miguell Del Campillo to handle.

**C7F Commission Memorandum No. 365-01**

A Resolution Authorizing the Mayor and City Clerk to Execute the Attached Home Investment Partnerships (HOME) Program Agreement with the Miami Beach Community Development Corporation (MBCDC) Providing \$328,987 of Previously Committed Fiscal Year 2000/01 Home Program Funds for the Acquisition and Rehabilitation of an Apartment Building Located at 532 Michigan Avenue, Miami Beach, to Provide an Estimated Eighteen (18) Rental Units for Income-Eligible Elder Tenants in Accordance with the Home Program Requirements; Further, Approving a One-Time Only Assignment of this Agreement to MBCDC: 532 Michigan Avenue, LLC., a Not-for-Profit Entity to Be Created by MBCDC as a Successor in Interest in Title to the Property Located at 532 Michigan Avenue, and Under this Agreement.

(Community/Economic Development)

**ACTION: Resolution No. 2001-24453 adopted.** Miguell Del Campillo to handle.

**C7G Commission Memorandum No. 366-01**

A Resolution Setting a Public Hearing on June 27, 2001, to Consider a Lease Agreement Between the City of Miami Beach and the Concert Association of Florida, Inc., for the Management and Operation of the Colony Theatre, Located at 1040 Lincoln Road, Miami Beach, Florida, for an Initial Three Year Term, Commencing on July 1, 2001, and Ending on May 31, 2004; Further Waiving, by 5/7ths Vote, the Appraisal Requirements, as Set Forth in Section 82-39 of the Miami Beach City Code, Finding Such Waiver to Be in the Best Interest of the City.

(Community/Economic Development)

**ACTION: Resolution No. 2001-24454 adopted.** R. Parcher to notice. Judy Hoanshelt to place on agenda.

**C7H Commission Memorandum No. 367-01**

A Resolution Accepting a Donation of Two (2) Stairmasters and Two (2) Recumbent Exercycles from Mount Sinai Hospital on Behalf of the Fire Department in Recognition of Emergency Medical Services Week.

(Fire Department)

**ACTION: Resolution No. 2001-24455 adopted.** Chief Jordan to handle.

**C7I Commission Memorandum No. 368-01**

A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding Between the Miami City Ballet and the City of Miami Beach Regarding the Use of the Miami City Ballet Building Located at 2200 Liberty Avenue as a Forward Command Post During Specified Hurricane Conditions.

(Fire Department)

**ACTION: Resolution No. 2001-24456 adopted.** Chief Jordan to handle.

C7J Commission Memorandum No. 369-01

A Resolution Authorizing the City Manager to Execute a Memorandum of Agreement Between the City of Miami, Florida and the City of Miami Beach Regarding the Participation of the Miami Beach Fire Department in the South Florida Urban Search and Rescue (US&R) Task Force, FL TF 2.  
(Fire Department)

**ACTION: Resolution No. 2001-24457 adopted.** Chief Jordan to handle.

C7K Commission Memorandum No. 370-01

A Resolution Rejecting All Bids Received, Pursuant to Invitation to Bid No. 19-00/01 for the Purchase of Two (2) Lifeguard Towers.  
(Parks & Recreation)

**ACTION: Resolution No. 2001-24458 adopted.** Gus Lopez to notify all bidders.

C7L Commission Memorandum No. 371-01

A Resolution Appropriating Funds, in the Amount of \$84,115 from the \$92 Million General Obligation Bonds Series 2000 Fund No. 374 for the Pinetree Park Renovation Project, as Specified in the 1999 General Obligation Bond Program, and Establishing a Work Order Necessary to Complete this Project.  
(Parks & Recreation)

**ACTION: Resolution No. 2001-24459 adopted.** Patricia Walker to handle.

C7M Commission Memorandum No. 372-01

A Resolution Authorizing the Mayor and the City Clerk to Execute, on Behalf of the City of Miami Beach, a Mutual Aid Agreement with the City of Florida City, Florida, for the Purpose of Coordinating Law Enforcement Planning, Operations, and Mutual Aid Benefit Between the City of Miami Beach and the City of Florida City.  
(Police Department)

**ACTION: Resolution No. 2001-24460 adopted.** Chief Barreto to handle.

C7N Commission Memorandum No. 373-01

A Resolution Appropriating \$62,000 from the \$92 Million General Obligation Bond Series 2000 Fund No. 373 and Amending the Existing Contract with Corzo, Castella, Carballo, Thompson, and Salman Architects (C3TS) in the Amount of \$62,000 to Provide for Additional Architectural and Engineering Services for the Enhancement of Lighting, Fountains, and Tree Base Treatments on Lincoln Road.

## (Property Management)

**ACTION: Resolution No. 2001-24461 adopted.** Brad Judd and Patricia Walker to handle.

## C7O Commission Memorandum No. 374-01

A Resolution Approving and Authorizing the Mayor and City Clerk to Execute an Interlocal Agreement with Miami-Dade County Wherein the County Agrees to Provide Approximately \$40,000 in Funding to Reimburse the City for the Installation of Landscaping in the Medians Along Pinetree and La Gorce Drives.  
(Public Works)

**ACTION: Resolution No. 2001-24462 adopted.** Robert Middaugh to handle.

## C7P Commission Memorandum No. 375-01

A Resolution Authorizing the Mayor and City Clerk to Execute Forty-Six (46) Agreements Between the City and Various Consultants (see Exhibit A) for Professional Architectural Planning and Urban Design Services for Capital Projects in Which the Basic Construction Cost Does Not Exceed \$500,000 per Project, or for Study Activities for Which the Fee Does Not Exceed \$25,000; Said Agreement Having a Two (2) Year Term, with the Option to Extend the Term for Two (2) Additional One Year Periods, at the Sole Discretion of the City.

(Public Works)

**ACTION:** 46 Resolutions adopted.

**ACTION: Resolution No. 2001-24401 adopted.** Professional Architectural Planning and Urban Design Services for Bermello, Ajamil and Partners, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24402 adopted.** Professional Architectural Planning and Urban Design Services for Beilinson Architects, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24403 adopted.** Professional Architectural Services for Brown and Brown Architects. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24404 adopted.** Professional Architectural Services for Bruno-Elias and Associates, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24405 adopted.** Professional Architectural Services for Edward Lewis Architects, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24406 adopted.** Professional Architectural Services for Post, Buckley, Schuh and Jernigan, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24407 adopted.** Professional Architectural Services for Swanke, Hayden, Connel Architects. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24408 adopted.** Professional Architectural Services for Carr, Smith,

Corradino, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24409 adopted.** Professional Landscape Architectural Services for Urbitran Associates, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24410 adopted.** Professional Landscape Architectural Services for Vanasse and Daynor, LLP. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24411 adopted.** Professional Planning and Urban Design Services for American-Shimpler Mirson, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24412 adopted.** Professional Planning and Urban Design Services for Bermello, Ajamil and Partners, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24413 adopted.** Professional Planning and Urban Design Services for Carr, Smith, Corradino, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24414 adopted.** Professional Civil Engineering Services for American-Shimpler Mirson, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24415 adopted.** Professional Civil Engineering Services for Bermello, Ajamil and Partners, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24416 adopted.** Professional Civil Engineering Services for Carney-Neuhaus, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24417 adopted.** Professional Civil Engineering Services for Carr, Smith, Corradino, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24418 adopted.** Professional Civil Engineering Services for Civil Works, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24419 adopted.** Professional Civil Engineering Services for Metcalf and Eddy, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24420 adopted.** Professional Civil Engineering Services for Milian, Swain and Associates, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24421 adopted.** Professional Civil Engineering Services for Post, Buckley, Schuh and Jernigan, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24422 adopted.** Professional Electrical Engineering Services for Indigo Service Corporation. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24423 adopted.** Professional Electrical Engineering Services for Post, Buckley, Schuh and Jernigan, Inc. Robert Middaugh to handle.





**ACTION: Resolution No. 2001-24424 adopted.** Professional Electrical Engineering Services for Tuboson Giwa and Partners, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24425 adopted.** Professional Environmental/Coastal Engineering Services for Coastal Planning and Engineering, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24426 adopted.** Professional Environmental/Coastal Engineering Services for Coastal Systems International, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24427 adopted.** Professional Environmental/Coastal Engineering Services for Ecology and Environmental, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24428 adopted.** Professional Environmental/Coastal Engineering Services for Langan Engineering and Environmental Services, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24429 adopted.** Professional Environmental/Coastal Engineering Services for Metcalf and Eddy, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24430 adopted.** Professional Environmental/Coastal Engineering Services for Milian, Swain and Associates, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24431 adopted.** Professional Environmental/Coastal Engineering Services for Post, Buckley, Schuh and Jernigan, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24432 adopted.** Professional Mechanical Engineering Services for Indigo Service Corporation. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24433 adopted.** Professional Mechanical Engineering Services for Post, Buckley, Schuh and Jernigan, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24434 adopted.** Professional Mechanical Engineering Services for Tuboson, Giwa and Partners, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24435 adopted.** Professional Structural Engineering Services for American-Shimpler Mirson, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24436 adopted.** Professional Structural Engineering Services for Bruno-Elias and Associates, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24437 adopted.** Professional Structural Engineering Services for Post, Buckley, Schuh and Jernigan, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24438 adopted.** Professional Transportation Engineering Services for Civil Works, Inc. Robert Middaugh to handle.



**ACTION: Resolution No. 2001-24439 adopted.** Professional Transportation Engineering Services for HNTB Corporation. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24440 adopted.** Professional Transportation Engineering Services for Post, Buckley, Schuh and Jernigan, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24441 adopted.** Professional Transportation Engineering Services for R. J. Behar and Company, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24442 adopted.** Professional Transportation Engineering Services for Urbitran Associates, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24443 adopted.** Professional Land Surveying Services for Carney-Neuhaus, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24444 adopted.** Professional Land Surveying Services for Post, Buckley, Schuh and Jernigan, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24445 adopted.** Professional Land Surveying Services for Schwebke-Shiskin and Associates, Inc. Robert Middaugh to handle.

**ACTION: Resolution No. 2001-24446 adopted.** Professional Land Surveying Services for Undersea and Coastal Geomatics, Inc. Robert Middaugh to handle.

C7Q Commission Memorandum No. 376-01

A Resolution Authorizing the Mayor and City Clerk to Execute a Professional Services Agreement with the Firm of Sklarchitecture, in the Amount of \$97,500, for Architectural, Engineering and Interior Design Services, for the Lobby and Entranceways of the Jackie Gleason Theater of the Performing Arts and the Replacement of the Carpet at the Miami Beach Convention Center; and Rescinding Resolution No. 2001-24286, Dated March 14, 2001.

(Public Works)

**ACTION: Resolution No. 2001-24463 adopted.** Christina Cuervo to handle.

C7R Commission Memorandum No. 377-01

A Resolution Appropriating Additional Funding, in the Amount of \$30,232, from RDA Tax Increment Revenue Bonds, Series 1998B, and Approving Change Order Proposals Nos. 2 Through 9 with Homestead Concrete and Drainage Inc., in the Amount of \$30,232, for the Streetscape Phase I Project at the Collins Park Cultural Center. **Joint City Commission and Redevelopment Agency**

(Public Works)

**ACTION: Resolution No. 2001-24464 adopted.** Heard in conjunction with RDA Item D. Robert

Middaugh and Patricia Walker to handle.

C7S Commission Memorandum No. 378-01

A Resolution Approving Additional Services and Reimbursables for the Firms of Spillis Candela & Partners/Arata Isozaki & Associates, in the Amount of \$51,855.16, and Appropriating Additional Funding in the Amount of \$51,855.16, from Undesignated General Fund Balance, to Pay for the Above Stated Additional Services and Reimbursables, for the Expansion and Renovation of the Bass Museum of Art.  
(Public Works)

**ACTION: Resolution No. 2001-24465 adopted.** Mayra Diaz Buttacavoli and Patricia Walker to handle.

C7T Commission Memorandum No. 379-01

A Resolution Appropriating Funds, in the Amount of \$21,794, from the \$92 Million General Obligation Bond Program (GO), Series 2000, for Testing Services and Additional Services Performed by the Firms of McHarry Associates and Weingerter Laboratories, Inc., for the Renovation and Rehabilitation of Fire Station No. 4.

(Public Works)

**ACTION: Resolution No. 2001-24466 adopted.** Robert Middaugh and Patricia Walker to handle.

C7U Commission Memorandum

A Resolution Awarding a Contract to \_\_\_\_\_, Pursuant to Invitation to Bid No. 30-00/01, for the Execution of the Work Specified to Be Performed in the North Shore Open Space Park Phase I Improvements, in the Amount of \$\_\_\_\_\_, from the Previously Appropriated Miami-Dade County Safe Neighborhood Parks Bond Fund No. 371.

(Public Works)

**(To Be Submitted)**

**ACTION: Withdrawn by the Administration.**

**End of Consent Agenda**

## **REGULAR AGENDA**

### **R5 - Ordinances**

#### **11:12 a.m.**

##### **R5A Commission Memorandum No. 340-01**

An Ordinance Amending the Land Development Regulations of the Code of the City of Miami Beach, Florida, Amending Chapter 130, ?Off-Street Parking,? Section 130-69.5, ?Additional Requirements,? to Clarify the Requirements for Parking Garages or Lots Desiring to Operate Past Midnight; Amending Chapter 118, Article IV, ?Conditional Use Procedure,?Section 118-194, ?Compliance with Conditions,? and Article VIII, ?Procedure for Variances and Administrative Appeals,?Section 118-356, ?Revocation or Modification of Variance,? to Amend the Procedures Applicable to Planning Board and Board of Adjustment Revocation or Modification of Conditional Use Approvals or Variances Where the Applicant Exhibits Repeated or Intermittent Noncompliance with the Conditions of Such Approvals; Amending Chapter 118, Article X, Historic Preservation, Section 118-503, ?Scope and Exemptions,? and Section 118-561, ?General Requirements,? to Clarify That Certificates of Appropriateness Are Required Prior to Any Temporary or Permanent Modification to a Building or Site; Providing for Inclusion in the Code of the City of Miami Beach, Florida; Repealer; Severability; and an Effective Date. **10:40 a.m. First Reading, Public Hearing**

(City Attorney's Office)

**ACTION:** Public hearing held. Discussion held.

Mr. Carter McDowell requested the deletion of Sections 4 and 5 of the ordinance because he believes the language is vague. He suggested that if this language is adopted, as a resident, he would not know what is allowed or not, and cited an incident in which a property owner was given a violation for hanging flower pots.

Jorge Gomez, Planning Director and Gary Held, First Assistant City Attorney, explained that this language will clarify that regardless of whether a building permit has been required for a particular change or not, this will require a Certificate of Appropriateness.

Motion made by Commissioner Dermer to refer the ordinance to the Historic Preservation Board, and not approve the ordinance on first reading; seconded by Commissioner Liebman.

Discussion continued. Commissioner Liebman withdrew her second because she wanted the ordinance approved on first reading and also referred to the Historic Preservation Board. Commissioner Bower seconded the motion; Ballot vote: 3-4; Opposed: Mayor Kasdin, Vice-Mayor Garcia and Commissioners Cruz and Liebman. Motion failed.

**Motion made by Commissioner Liebman; seconded by Mayor Kasdin (Vice-Mayor Garcia was the chair), to approve the ordinance on first reading and refer ordinance Sections 4 and 5 to the Historic Preservation Board before the second reading; Ballot vote: 5-2; Opposed: Vice-Mayor Garcia and Commissioner Cruz. Second Reading and second Public Hearing scheduled on July 18, 2001 at 5:01 p.m. R. Parcher to notice. Judy Hoanshelt to place on agenda. Jorge Gomez to handle.**

Handout:

1. Ballot - Motion to defer.
2. Notice of Ad in Miami Herald

**11:54 a.m.**

R5B Commission Memorandum No. 341-01

Fence Heights for City Parks

An Ordinance Amending the Land Development Regulations of the Code of the City of Miami Beach, Florida, Amending Chapter 142, ?Zoning Districts and Regulations,? Article IV, ?Supplementary District Regulations,? Division 4, ?Supplementary Yard Regulations,? Section 142-1132, ?Allowable Encroachments,? Subsection (h), ?Fences, Walls, and Gates,? to Modify the Height and Setbacks for Fences Surrounding Public Facilities in GU and CCC Districts, Providing for Inclusion in the Code of the City of Miami Beach, Florida; Repealer; Severability; and an Effective Date. **10:45 a.m. Second Reading, Public Hearing**

(Planning Department)  
(First Reading May 16, 2001)

**ACTION:** Public hearing held. **Ordinance Number 2001-3307 adopted.** Motion made by Commissioner Smith; seconded by Commissioner Bower; Ballot vote: 6-0; Absent: Commissioner Liebman. R. Parcher to transmit to Municipal Code Corporation. Jorge Gomez and Kevin Smith to handle.

Handout:

1. Notice of Ad in Miami Herald

**12:41 p.m.**

R5C Commission Memorandum No. 342-01

An Ordinance Amending Chapter 110 of the Miami Beach City Code Entitled ?Utilities?, Amending Subsection 110-166, Entitled ?Schedule of Water Rates and Tapping Charges? by Adding to Subsection 110-166 ( C ) Thereof the Option of ?Budget Billing? of Owners or Consumers of Water and Sewer at Single-Family Residences; Providing for Repealer, Severability, Codification, and an Effective Date. **10:50 a.m. Second Reading, Public Hearing**

(Finance Department)  
(First Reading May 16, 2001)

**ACTION:** Public hearing held. **Ordinance Number 2001-3308 adopted.** Motion made by Vice-Mayor Garcia; seconded by Commissioner Liebman; Ballot vote: 7-0. R. Parcher to transmit to Municipal Code Corporation. Patricia Walker to handle.

Handout:

1. Notice of Ad in Miami Herald

**12:42 p.m.**

R5D Commission Memorandum No. 343-01

An Ordinance Amending Section 82-587 of the City Code, to Require a Contribution for the Art in Public Places Program from Joint Public/Private Projects, Excluding Not for Profit; Repealing All Ordinances and Resolutions in Conflict Herewith; Providing for Severability; Providing for Codification; and Providing for an Effective Date. **10:55 a.m. Second Reading, Public Hearing**

(Arts, Culture & Entertainment)  
(First Reading May 16, 2001)

**ACTION:** Public hearing held. **Ordinance Number 2001-3309 adopted.** Motion made by Commissioner Liebman; seconded by Commissioner Bower; Ballot vote: 7-0. R. Parcher to transmit to Municipal Code Corporation. Christina Cuervo to handle.

Handout:

1. Notice of Ad in Miami Herald



**5:54 p.m.**

R5E Commission Memorandum No. 344-01

Designation of the Pinetree Drive Historic Roadway as an Historic Site

An Ordinance Amending the Land Development Regulations of the Miami Beach City Code; by Amending Section 118-593(e), Entitled "Delineation on Zoning Map" by Designating a Portion of the Public Right-of-Way of Pinetree Drive as an Historic Site to Be Known as the "Pinetree Drive Historic Roadway," Generally from 30th Street to 46th Street, as More Particularly Described in the Ordinance; Providing That the City's Zoning Map Shall Be Amended to Indicate That Portion of Pinetree Drive as an Historic Site; Adopting the Designation Report Attached as Appendix "A"; Providing for Inclusion in the Land Development Regulations of the City Code, Repealer, Severability, and an Effective Date.

**5:01 a.m. Second Reading, Public Hearing**

(Planning Department)

(Continued from May 16, 2001)

**ACTION:** Public hearing held. **Ordinance Number 2001-3310 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Liebman; Ballot vote: 7-0. R. Parcher to transmit to Municipal Code Corporation. Jorge Gomez to handle.

Vice-Mayor Garcia requested to be notified when the issue of extending the boundary to include the obelisk is presented to the Historic Preservation Board. Jorge Gomez to handle.

**11:00 a.m.**

R5F Commission Memorandum No. 345-01

Zoning Ordinance Amendment

An Ordinance Amending the Official Zoning District Map Referenced in Section 142-72 of the Code of the City of Miami Beach, Florida, by Changing the Zoning District Classification for Those Ten Areas Identified in the Chart below and the Maps Attached to this Ordinance; Amending the Affected Portions of the City's Official Zoning District Map to Correspond with these Changes as Adopted by the City Commission; Providing for Repealer, Severability and an Effective Date. **10:30**

**a.m. First Reading, Public Hearing**

(Planning Department)

**ACTION:** Public hearing held. Discussion held. **Ordinance approved on first reading.** Motion made by Commissioner Bower; seconded by Commissioner Liebman; Ballot vote: 6-0; Absent: Mayor Kasdin. Second Reading and second Public Hearing scheduled on June 27, 2001 at 5:01 p.m. R. Parcher to notice. Judy Hoanshelt to place on agenda. Jorge Gomez to handle.

Handout:

1. Notice of Ad in Miami Herald



## **R6 - Commission Committee Reports**

**8:26 p.m.**

R6A Commission Memorandum No. 346-01

Report of the Joint Finance and Citywide Projects Committee and the Community Affairs Committee  
Meeting of May 14, 2001:

### **Joint Committee Meeting Items**

- 1) Discussion and Direction of the Proposed Guidelines Establishing Rental Fee Waivers Requested by Qualified Groups, Organizations or Other Users of the Miami Beach Parks and Recreation Department's Parks and Recreation Facilities;

**COMMITTEE ACTION:** Item deferred.

- 2) A Resolution Authorizing the Administration to Issue a Request for Proposals (RFP) to Provide Comprehensive Professional Tennis Management and Operations Services at the City's Flamingo Park and/or North Shore Park Tennis Centers;

**COMMITTEE ACTION:** The Committee recommended that the Administration negotiate with the current management of the facilities to determine an equitable share of revenues from the private and group tennis lessons to be paid to the City. The tennis center managers/pros would continue to provide appropriate management of the facilities during their 20 hours a week of employment by the City. Further, the Administration was directed to establish a policy and procedure that all payments for lessons would be by check and made payable to the City. The share of revenues generated from lessons would be used by the City to improve the condition of the facilities and to begin to implement the type of programs and services the community desires. **Kevin Smith to handle.**

The Committee further recommended receiving with issuance of the RFP for management of the tennis centers. **Kevin Smith to handle (See Agenda Item R7A).**

## Finance and Citywide Projects Committee Items

- 3) Consider Appropriating \$1,415,000 in Available City Center Tax Increment Revenues to Fund the Estimated Shortfall in the Development Budget for the Expansion and Renovation of the Colony Theater;

**COMMITTEE ACTION:** The Committee recommended approval of the item, subject to the below stated issues.

- 1) Subject to settlement of the Ablon land acquisition.
- 2) The funding is available from tax increment bond funds or from tax increment revenues generated by the Convention Center Redevelopment Agency. **Patricia Walker to handle.**

- 4) To Consider an Amendment in the Amount of \$61,436 to the Professional Services Agreement between the City of Miami Beach and the State of Florida, Department of Management Services, for Construction Management of the Expansion and Renovation of the Colony Theater, for a Total Amended Contract Amount of \$111,336, in Accordance with the Provisions Set Forth in the Agreement;

**COMMITTEE ACTION:** Item deferred.

- 5) A Resolution Authorizing the Mayor and City Clerk to Execute a Professional Services Agreement with Adshel, Inc., Pursuant to Request for Proposals (RFP) No. 112-99/00, to Construct, Operate and Maintain Directory Structures in the Lincoln Road Area, Providing Directory Information, Location Maps and Offering Advertising Space for Commercial Use, and Fabricate and Install Street Signs and Block Number Signs at Intersections Along Lincoln Road;

**COMMITTEE ACTION:** Item deferred.

- 6) A Resolution Adopting the Recommendation of the Convention Center Capital Projects Oversight Committee (CCCPOC) to Authorize That the Interest from the Remaining Uncommitted and/or Unappropriated Monies (Said Funds Estimated at \$11,910,717) from the Interlocal Cooperation Agreement Between the City and Miami-Dade County, Regarding the Disposition of the Two-Thirds(2/3rds) Portion of the Convention Development Tax Be set Aside and Appropriated into a Separate Account, to be Established by the City and Maintained for Additional Capital Improvements related to the Miami Beach Convention Center (MBCC) and the Jackie Gleason Theater of the Performing Arts (TOPA): Provided That the Convention Center Capital Projects Oversight Committee Shall Make a Recommendation as to Any Proposed Improvements, Said Recommendation to Be Advisory Only, Prior to Said Improvement Projects Being Brought to the City Commission.

**COMMITTEE ACTION:** Item deferred.

**ACTION:** Motion made by Commissioner Dermer to accept the report; seconded by Commissioner Bower; Voice vote: 5-0; Absent: Mayor Kasdin and Commissioner Cruz.

R6B Verbal Report of the Finance and Citywide Projects Committee Meeting of May 30, 2001:

**ACTION:** Not reached. Judy Hoanshelt to place on agenda.

R6C Verbal Report of the Neighborhoods Committee Meeting of June 4, 2001:

**ACTION:** Not reached. Judy Hoanshelt to place on agenda.

Handout:

1. Written Report of the Committee meeting.

R6D Verbal Report of the G.O. Bond Oversight Committee Meeting of June 4, 2001:

**ACTION:** Not reached. Judy Hoanshelt to place on agenda.

**R7 - Resolutions****5:45 p.m.**

R7A Commission Memorandum No. 347-01

A Resolution Authorizing the Administration to Issue a Request for Proposals (RFP) to Provide Comprehensive Professional Tennis Management and Operations Services at the City's Flamingo Park and/or North Shore Park Tennis Centers.

(Parks &amp; Recreation)

**ACTION: Resolution No. 2001-24467 adopted. RFP amended.**

Commissioner Liebman requested the language in Section B(1)(a) be changed as follows: from  
?Management and/or operation of a tennis center of ~~similar~~ the highest quality.....?

Ms. Terry Jonas requested that the RFP be amended to have the City be responsible for water and utilities to insure proper maintenance of the new hydro-courts. The Administration will address this as part of the negotiations.

Ms. Amy Agnoli suggested deleting the section which relates to the proposer being responsible for paying for all utilities. Administration to work into the RFP.

Motion made by Commissioner Liebman to approve with the RFP amendments; seconded by Commissioner Bower; Voice vote: 7-0. Gus Lopez to handle.

Handout:

1. Speakers List

**R9 - New Business and Commission Requests****8:00 p.m.**

R9A Commission Memorandum No. 348-01

Board and Committee Appointments.

(City Clerk's Office)

**Beach Preservation Board.**

Colleen Martin.....Term expires 12/31/02.....appointed by Commissioner Liebman

**Florida Sister Cities Program (Fujisawa)..**

Stephanie Trinidad.....Term expires 12/31/01.....appointed by Mayor Kasdin

Raquel Vallejo... ..Term expires 12/31/02.....appointed by Mayor Kasdin

**Police/Citizens Relations Committee.**

Regina Berman.....Term expires 12/31/02.....appointed by Commissioner Jose Smith



**Youth Center Advisory Board:**

Moni Cohen

Term expires 12/31/01.....appointed by Commissioner Jose Smith

**8:02 p.m****Oversight Committee for General Obligation Bond:**

Laura Jamieson (South Beach) nominated by Commissioner Dermer. Sherri Krassner (Middle Beach) nominated by Commissioner Liebman. Motion made by Commissioner Dermer to appoint Laura Jamieson and Sherri Krassner; seconded by Commissioner Liebman; Voice vote: 5-0; Absent: Mayor Kasdin and Commissioner Cruz.

Laura Jamieson (South Beach)....Term expires 12/31/02.....appointed by City Commission

Sherri Krassner (Middle Beach).Term expires 12/31/02.....appointed by City Commission

R9A1 Discussion Regarding Appointment of James Clearwater to the Art in Public Places Committee.

(Requested by Commissioner Nancy Liebman)

(Deferred from May 16, 2001)

**ACTION:** Not reached. Judy Hoanshelt to place on agenda.

**2:45 p.m.**

R9B(1) Dr. Stanley Sutnick Citizen's Forum. (1:30 p.m.)

**ACTION:**

- 1) **Elizabeth Donnelly** spoke regarding being charged minimum water fees and she feels she does not use the minimum. Since there has been a restriction placed on water use, why doesn't the City change the Code. Commissioner Smith explained that the City incurs expenses because of water and sewer fees and the Administration agreed to make an assessment of the infrastructure costs to see if the fees were too high. **Patricia Walker to handle.**
- 2) **Bea Kalstein** spoke:
  - a) Regarding the infamous Memorial Day Weekend and how embarrassing it was. She wants to know how the City is preparing for preventing this from ever happening again. She also spoke about an article in the SunPost regarding WWII veterans and how we should all help.
  - b) Regarding a SunPost article on the Florida State University and the museum that opened up, for which memoirs have been contributed to Dr. Olsen at the FSU for the Institute of Veterans, and she thinks everyone should help with his work, since this is history being made.



3) **Morris Sunshine** spoke:

- a) On the Memorial Day Weekend. The Administration will be receiving financial reports on the impact the event had on the department's budgets and he suggested that these reports be made public for the benefit of the Commission and the taxpayers. He would like to have access to these reports on the web.
- b) The Police Department's budget is in serious trouble. He believes they are \$250,000 in the red, due to unscheduled events that require staff working overtime. The Commission may want to take a look at their next budget to replenish these funds. He added that the Fire Department also took a hit. The Administration explained that information is being compiled and that the City had budgeted for \$40,000 for Memorial Weekend, and perhaps the impact was tripled.

4) **Ruth E. Pasarell** spoke on:

- a) Memorial Day weekend being a misjudgement, and that there was too much weekend and too many people, but knows that the City can work at it next time.
- b) In representation of her daughters, who seem to be receiving mixed messages regarding small shops exhibiting paraphenelia on Washington Avenue. She wants to know how is the City allowing these products being sold and exhibited on the windows, and with signs 18 and over. This is sending a mixed message to children.
- c) She also stated that low-income parents cannot afford to place children in Summer Camp programs and wants to know which programs are available for such families. She believes children deserve the same opportunities to attend these programs. Administration will review all Parks Programs to make sure the City is adding the right programs at the right cost. **Kevin Smith to handle.**

Handout:

## 1. Speakers List

R9B(2) Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)

**Carlos Gonzalez** spoke regarding what happened during Memorial Weekend and what happened at the robbing and shoot out at the Tantra (Restaurant). The message is that people, not just the homeless, in the City of Miami Beach are hurting. This is becoming the city of the very rich. We need rent control and help for the homeless.

R9C The Committee of the Whole Will Meet During Lunch Break in the City Manager's Large Conference Room Regarding a Budget Briefing on the Preliminary Fiscal Year 2001/02 General Fund Budget.  
(Management & Budget)

**ACTION:** Announced and held at 7:07 pm in the City Manager's Large Conference Room.

Handout:

1. Document titled ? Economic Overview: General Fund Budget FY 2001-2002
2. Audio tape of the meeting.
3. Notice of Ad in Miami Herald

**12:43 p.m.**

R9D Discussion Regarding the Creation of a Sunset Harbour Task Force.  
(Requested by Commissioner Nancy Liebman)  
(Deferred from May 16, 2001)

**ACTION:** Discussion held. Motion made by Commissioner Liebman to 1) Create an Ad Hoc committee for a term of 6-months; 2) Administration to recommend number of members and who the members should be; 3) Members should be comprised of both residents and businesses; seconded by Vice-Mayor Garcia, Voice-vote: 7-0. Robert Middaugh to handle.

**3:02 p.m.**

R9E Discussion Regarding Lincoln Road Conditions/Vendors and Street Performers.  
(Requested by Commissioner Nancy Liebman & Commissioner Simon Cruz)  
(Deferred from May 16, 2001)

**ACTION:** Discussion held.

A video tour of Lincoln Road was shown.

Commissioner Liebman asked that the Legal Department be given direction to create an ordinance which will regulate vendors, peddlers and street performers on Lincoln Road.

Mayor Kasdin commended Commissioner Liebman for introducing the need for an ordinance in the past and for bringing this to light again. He also stated that the Administration should be enforcing the existing laws while new legislation is in the process of being prepared. **Al Childress and Chief Barreto to handle.**

Clotilde Luce suggested taking a positive approach by creating a designated space for performers and vendors to exhibit their art on Lincoln Road rather than imposing an ordinance to ban any performers and

vendors.

Commissioner Bower requested business owners be notified and involved in decisions if any areas on Lincoln Road are to be designated strictly for performers or vendors.

Commissioner Liebman highlighted the following points which were a result of the Lincoln Road Visioning Session attended by property owners, merchants, and residents of the area: 1) Market and brand Lincoln Road; 2) Link Lincoln Road with other areas (Convention Center, Collins Avenue and Ocean Drive); 3) High maintenance standards; 4) Keep a strong cultural component; 5) Unified body to coordinate, manage and market; and 6) Establish reasonable standards and rules.

John Oldenburg made a presentation of South Beach Service Team (SBST), a pilot program, showing services needed and their possible solutions.

**Administration and Legal Department to prepare an ordinance for first reading on June 27, 2001. Ronnie Singer to handle.**

Mayor Kasdin stated that a few of the restaurants on Lincoln Road are encroaching in the public area. **Al Childress to handle.**

Handout:

1. Document submitted by the City Attorney's Office entitled: "Planning Board Recommendations on Street Performer and Street Vendor Ordinance."
2. Draft of the proposed ordinance
3. Petition submitted by Lincoln Road Marketing Inc.
4. Speakers List

**6:39 p.m.**

R9F Discussion Regarding the Rules and Regulations of Beachfront Concessions.

(Requested by Commissioner Jose Smith)

(Deferred from May 16, 2001)

**ACTION:** Discussion held. Motion made by Commissioner Smith directing the Administration to research the issue and come back with legislation to allow the existing concessions to continue to cook after October 1; seconded by Vice-Mayor Garcia; Voice-vote: 7-0. Joe Damien to handle.

Mayor Kasdin introduced Ramiro Inguanzo, the City Manager's Chief of Staff.

**8:07 p.m.**

R9G Discussion Regarding Legislation Prohibiting Anyone Involved in Election Campaign from Soliciting Contracts from the City Commission, Prohibiting ?Undisclosed Bundling? of Campaign Contribution Checks, and the Open Disclosure of Fees Paid to Lobbyists Registered in the City of Miami Beach.

(Requested by Commissioner Matti Herrera Bower)

(Deferred from May 16, 2001)

**ACTION:** Motion made by Commissioner Smith to refer to the Community Affairs Committee; seconded by Commissioner Liebman. Voice-vote: 5-0; Absent: Mayor Kasdin and Commissioner Cruz. Judy Hoanshelt to place on Committee Agenda.

**11:57 a.m.**

R9H Status Report on the Long-Standing Problems of Sunset Islands I and II.

(Requested by Vice-Mayor Luis R. Garcia, Jr. & Commissioner Matti Herrera Bower)

(Deferred from May 16, 2001)

**ACTION:** Ms. Janice Sharpstein, President of the Sunset Island Homeowners Association, stated that the problems can be classified in two areas: 1) Lack of City services which include street problems, signage problems, construction problems, party home problems, and parking problems and 2) Delay of ongoing projects which includes the entryway and the park. There are FPL and other utility problems on both the entryway and the park which need to be resolved.

Discussion held.

Motion made by Commissioner Dermer to have Administration submit 30-day progress reports until the problems of Sunset Islands I and II are resolved; seconded by Vice-Mayor Garcia; Voice vote: 7-0. Robert Middaugh to handle.

Handout:

1. Six (6) color photos

**8:04 pm**

R9I Discussion Regarding an Update from the Police Department on the Issue of Prostitution.

(Requested by Commissioner Matti Herrera Bower)

(Deferred from May 16, 2001)

**ACTION:** Commissioner Bower withdrew the item and requested a report via an LTC. Chief Barreto to handle.

**8:08 p.m.**

R9J Discussion Regarding Cultural Arts Economic Impact Study.

(Requested by Commissioner Nancy Liebman)

(Deferred from May 16, 2001)

**ACTION:** Discussion held.

Motion made by Commissioner Liebman to give direction to the Administration to have the Cultural Arts Council, with assistance from the Economic Development Department, develop an impact study which will show the economic impact of the arts in Miami Beach; seconded by Commissioner Bower; Voice vote: 5-0; Absent: Mayor Kasdin and Commissioner Cruz. Christina Cuervo to handle.

Jorge Gonzalez, City Manager, stated that the new organization has a Grant Management component to actively pursue grants citywide. Mayra Diaz Buttacavoli to handle.

Handout:

1. Brochure titled: \$538.3 million Impact - Miami's Cultural Portfolio

R9K Discussion Regarding the Recent Court Action Involving the Save Miami Beach Charter Amendment.

(Requested by Commissioner David Dermer)

(Deferred from May 16, 2001)

**ACTION:** Withdrawn.

**8:21 p.m.**

R9L Discussion Regarding the Pump Station Project at 28th Street.

(Requested by Vice-Mayor Luis R. Garcia, Jr.)

(Deferred from May 16, 2001)

**ACTION:** Motion made by Commissioner Bower to refer to the Land Use Committee; seconded by Commissioner Dermer; Voice-vote: 5-0; Absent: Mayor Kasdin and Commissioner Cruz. Jorge Gomez to handle.

Administration to prepare an LTC on the status of the 28th Street project. **Robert Middaugh to handle.**

Vice-Mayor Garcia requested the referral to include a review of all pump stations, the approval procedures which were followed, and a time line. The contractor, Building Official and architect need to be present at the committee meeting.

Handout:

1. Four (4) color pictures of the 28th Street pump station.

**8:05 p.m.**

R9M Discussion Regarding a Resolution Supporting ?The Beach Reads? Program.

(Requested by Commissioner Matti Herrera Bower)

**ACTION:** Discussion held. **Resolution No. 2001-24468 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Liebman; Voice-vote: 5-0; Absent: Mayor Kasdin and Commissioner Cruz. Maria Ruiz to handle.

**8:06 p.m.**

R9N Discussion Regarding the Removal and/or Relocation of Full Canopy Trees Throughout the City.

(Requested by Commissioner Matti Herrera Bower)

**ACTION:** Deferred.

R9O Discussion Regarding an Ordinance Amending Chapter 2 Entitled "Administration"; by Amending Article III Entitled "Agencies, Boards and Committees"; by Creating Division 31 Entitled "Nightlife Industry Advisory Council? and Providing for the Purpose, Powers and Duties, and Composition of the Council; Providing for Repealer; Providing for Severability; Providing for Codification; and Providing for an Effective Date.

(Requested by Commissioner David Dermer)

**ACTION:** Deferred.

R9O1 Discussion Regarding the Establishment of a Nightlife Advisory Board.  
(Requested by Commissioner Nancy Liebman)

**ACTION:** Deferred.

**8:18 p.m.**

R9P Discussion Regarding the Creation of a Public Safety Committee.  
(Requested by Vice-Mayor Luis R. Garcia, Jr.)

**ACTION:** Motion made by Commissioner Bower to refer to the Community Affairs Committee; seconded by Commissioner Dermer; Voice-vote: 5-0; Absent: Mayor Kasdin and Commissioner Cruz. Judy Hoanshelt to place on committee agenda. Police Chief Barreto and Fire Chief Jordan to handle. Vice-Mayor Garcia stated that he would layout the guidelines.

**5:57 p.m.**

R9Q Discussion Regarding a (4) Month Extension to the Permit for the Use of the Vacant Lot on 15th and Ocean Drive as a Temporary or Provisional Parking Lot.

(Requested by Vice-Mayor Luis R. Garcia, Jr.)

**ACTION:** Murray Dubbin, City Attorney, reviewed the Interoffice Memorandum which issued a legal opinion on the proposed extension of term of provisional parking lot at 1458 Ocean Drive (see Handouts for a copy of the opinion.)

Discussion held.

Mitchell Bierman, representing a valet parking company, voiced his objection to allowing the lot to continue to operate.

Motion made by Vice-Mayor Garcia to express the sentiment of the City Commission to support finding a method to allow the lot to continue to operate until construction on the lot begins which is approximately four (4) months; seconded by Commissioner Bower; Voice vote 6-1. Opposed: Commissioner Liebman. Saul Frances to handle.

The issue of the terrible conditions of the Charles Hotel property was discussed. Mayor Kasdin and Commissioner Liebman stated that the property is a blight to the neighborhood and the City should look into foreclosing its liens. Al Childress to handle.

Handout:

1. Interoffice Memorandum from Murray H. Dubbin, City Attorney, RE: Request for Legal Opinion - Proposed extension of term of provisional parking lot at 1458 Ocean Drive.

**ADDENDUM:****10:39 a.m.**

R9R Discussion Regarding a Resolution Urging Miami-Dade County to Continue the East Flow Flight Track Test Procedure in Order to Abate Nighttime Aircraft Noise.

(Requested by Commissioner Nancy Liebman)

**ACTION:** Ms. Bunny Patchen gave a verbal status report. Discussion held. **Resolution No. 2001-24469 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Liebman; Voice vote: 7-0. R. Parcher to transmit to Senator Graham, Congressman Shaw, and Miami-Dade County Commission.



**Reports and Informational Items**

- A Commission Memorandum No. 349-01  
City Attorney's Status Report.

(City Attorney's Office)

**ACTION:** Written report submitted.

- B Commission Memorandum No. 350-01  
Parking Status Report.

(Parking Department)

**ACTION:** Written report submitted.

- C Commission Memorandum No. 351-01  
Status Report on the Rehabilitation Project of the Existing Building and the Addition to Fire Station No. 2.  
(Public Works)

**ACTION:** Written report submitted.

- D Verbal Status Report on the Rehabilitation Project of the Existing Building and the Addition to Fire  
Station No. 4.

(Public Works)

**ACTION:** Verbal report given.

**5:12 p.m.**

- E Commission Memorandum No. 352-01  
A Report on the 2001 Florida Legislative Session by the City's State Lobbyists.  
(Community/Economic Development)

**ACTION:** Mr. Gary Rutledge gave an oral report on the city's lobbyist activities and stated the details are in the letter included in the Commission Agenda.

**5:30 p.m.**

- F Commission Memorandum No. 353-01  
Status Report on the Homeless Committee Recommendation to Contract with the Volunteers of America of Florida, for the Operation of a Five-Day Pilot Program of Mobile Dental and Health Services to Homeless Individuals and Families in the City of Miami Beach.  
(Community/Economic Development)

**ACTION:** Written report submitted.

Christina Cuervo stated that this is a status report of the Homeless Committee and included in it is the recommendation from the Committee regarding contracting with Volunteers of America of Florida for the operation of a 5-day pilot program to bring their mobile intake unit which will provide dental and health services to the homeless in Miami Beach. It will cost the City \$1,000 per day for a total expenditure of \$5,000. Christina Cuervo to handle.

Maria Pellerin , Chairwoman of the Homeless Committee, gave a verbal report.

- G Verbal Update on Collaborative Summer Tourism Marketing Initiatives.  
(Arts, Culture and Entertainment)

**ACTION: Withdrawn by the Administration.**

**End of Regular Agenda**

**Miami Beach Redevelopment Agency  
Commission Chambers, 3rd Floor, City Hall  
1700 Convention Center Drive  
June 6, 2001 - 10:00 a.m.**

Chairman of the Board Neisen O. Kasdin	Present.
Member of the Board Matti Herrera Bower	Present.
Member of the Board Simon Cruz	Present.
Member of the Board David Dermer	Present.
Member of the Board Luis R. Garcia, Jr.	Present.
Member of the Board Nancy Liebman	Present.
Member of the Board Jose Smith	Present.

Executive Director Jorge M. Gonzalez  
Assistant Director Christina M. Cuervo  
Assistant Director Mayra Diaz Buttacavoli  
General Counsel Murray H. Dubbin  
Secretary Robert E. Parcher

**AGENDA**

1. ROLL CALL

The Chairman and all Board members were present.

2. OLD BUSINESS

A Redevelopment Agency Memorandum No. 01-24

Report of the Itemized Revenues and Expenditures of the Miami Beach Redevelopment Agency for Months Ended April 30, 2001.

**ACTION:** Written report submitted.

B Redevelopment Agency Memorandum No. 01-25

Anchor Shops and Parking - Monthly Report on Parking Operations, Month of April, 2001.

**ACTION:** Written report submitted.

- C Redevelopment Agency Memorandum No. 01-26  
Status Report on the Georgian Condominium and the Loews Miami Beach Hotel; the Anchor Shops at South Beach and Parking (16th Street Parking Garage); and the RDP Royal Palm Crowne Plaza Resort Hotel.

**ACTION:** Written report submitted.

Kent Bonde, Redevelopment Coordinator, gave a verbal status report on the Georgian Condominium window test units. The test windows have been installed in the two (2) test units. The acoustics consultant has performed tests on the units which have the test windows and it appears that the test windows are effective and the residents seem to be very happy with the difference the new windows make.

Kent Bonde and Christina Cuervo gave a verbal status report on the Fuddruckers project.

Motion was made by Vice-Mayor Garcia to approve the recommendation of the Administration that the termination of the lease be vacated at this time pending performance by the tenant; seconded by Commissioner Dermer; Voice vote: 7-0.

Commissioner Liebman requested a time frame. Christina Cuervo stated that November 1 is the projected opening date.

### 3. NEW BUSINESS

#### **10:56 am**

- A Redevelopment Agency Memorandum No. 01-27  
A Resolution of the Chairman and Members of the Miami Beach Redevelopment Agency Appropriating Funds in the Amount of \$27,558.68 from South Pointe Tax Increment Funds, in Accordance with a Surviving Provision of the 1995 Development Agreement, as Fifty Percent of the Environmental Remediation Costs for SSDI-North.

**ACTION: Resolution No. 383-2001 adopted.** Motion made by Commissioner Cruz; seconded by Vice-Mayor Garcia; Voice vote: 6-0; Absent: Commissioner Bower. Patricia Walker to handle.

**10:58 am.****B** Redevelopment Agency Memorandum No. 01-28

A Resolution of the Chairman and Members of the Miami Beach Redevelopment Agency, Appropriating \$9,600 from Available 1998 Tax Increment Revenue Bonds in Order to Reimburse RDP Royal Palm Limited Partnership to Fund Certain Permit-Related Fees Assessed by the City's Building Department for the Royal Palm Crowne Plaza Resort Project in Accordance with Section 6.3(a) of the Hotel Development Agreement Between the Miami Beach Redevelopment Agency and RDP Royal Palm Limited Partnership.

**ACTION: Resolution No. 384-2001 adopted.** Motion made by Commissioner Cruz; seconded by Vice-Mayor Garcia; Voice vote: 6-0; Absent: Commissioner Bower. Christina Cuervo and Patricia Walker to handle.

**10:58 am.****C** Redevelopment Agency Memorandum No. 01-29

A Resolution of the Chairman and the Members of the Miami Beach Redevelopment Agency Appropriating \$1,970,000 from the Proceeds of Miami Beach Redevelopment Agency Tax Increment Revenue Bonds Series 1998 (City Center/Historic Convention Village) for the Settlement of All Fees and Costs for the Acquisition of the American Riviera Real Estate Company ("Ablon") Property Located at 211 - 215 22nd Street.

**ACTION: Resolution No. 385-2001 adopted.** Motion made by Commissioner Liebman; seconded by Commissioner Smith; Voice vote: 5-2; Opposed: Mayor Kasdin and Vice-Mayor Garcia. Patricia Walker to handle.

**10:59 am.****D** Redevelopment Agency Memorandum No. 01-30

A Resolution of the Chairman and Members of the Miami Beach Redevelopment Agency (RDA), Appropriating Additional Funding, in the Amount of \$30,232, from RDA Tax Increment Revenue Bonds, Series 1998B, and Approving Change Order Proposals Nos. 2 Through 9 with Homestead Concrete and Drainage Inc., in the Amount of \$30,232, for the Streetscape Phase I Project at the Collins Park Cultural Center. **Joint City Commission and Redevelopment Agency**

**ACTION: Resolution No. 386-2001 adopted.** Heard in conjunction with Item C7R. Motion made by Commissioner Bower; seconded by Commissioner Cruz; Voice vote: 7-0. Robert Middaugh and Patricia Walker to handle.

Meeting adjourned at 8:27 p.m.

**End of Agenda**